



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

October 15, 2021

Subject: Fish and Wildlife Endangered Species – Penneco Environmental Solutions, LLC – Sedat #4A
Well Permit **PAS2D702BALL**

From: Ryan Hancharick
Source Water & UIC Section (3WD22)

To: File

Penneco Environmental Solutions – Sedat #4A located at:

Plum Borough
Allegheny County, Pennsylvania
Sedat #4A: Latitude 40° 31' 36.897" Longitude -79° 42' 39.6972"

EPA searched Fish and Wildlife's website, <http://ecos.fws.gov/ipac/>, for endangered species located in Allegheny County, Pennsylvania and received an official species list. The list identified three (3) endangered species, the Northern Long-eared Bat (*Myotis septentrionalis*), Indiana Bat (*Myotis sodalis*), and the Monarch Butterfly (*Danaus plexippus*). There are no critical habitats within the project area. A copy of the list provided by the Fish and Wildlife is attached to this memo.

EPA does not believe the project will have any effect on these species for the following reasons:

1. Injection will take place approximately 1,740 feet underground and lower. The only way for injection fluid to impact species at the surface would be through a surface spill. Since this is an active oil/gas production facility, the Pennsylvania Department of Environmental Protection (PADEP) has jurisdiction over spill prevention associated with tanks, surface containment, etc. at the injection well.

2. The proposed injection well is currently an active well. Penneco will be converting the active well to an injection well so there will be no new drilling at the site.

EPA is sending a copy of the permit, statement of basis, and public notice to the U.S. Fish and Wildlife Service Pennsylvania Ecological Services Field Office for comment during the public notice of the draft permit.

Ryan Hancharick
Source Water & UIC Section



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United States Department of the Interior

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State College, PA 16801-7987
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<http://www.fws.gov/northeast/pafo/>



In Reply Refer To:

October 15, 2021

Consultation Code: 05E2PA00-2022-SLI-0046

Event Code: 05E2PA00-2022-E-00231

Project Name: Penneco Environmental Solutions, LLC Sedat #4A UIC Class II-D Injection Well

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>;

<http://www.towerkill.com>; and

www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

[http://](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html)

Any activity proposed on National Wildlife Refuge lands must undergo a "Compatibility Determination" conducted by the Refuge. Please contact the individual Refuge to discuss any questions or concerns.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Pennsylvania Ecological Services Field Office

110 Radnor Road Suite 101

State College, PA 16801-7987

(814) 234-4090

Project Summary

Consultation Code: 05E2PA00-2022-SLI-0046

Event Code: Some(05E2PA00-2022-E-00231)

Project Name: Penneco Environmental Solutions, LLC Sedat #4A UIC Class II-D
Injection Well

Project Type: OIL OR GAS

Project Description: Penneco is looking to construct and operate a Class II-D commercial disposal injection well, Sedat #4A, for the purpose of injecting fluids produced solely in association with oil and gas production. The Injection Well will be located in the Renton Gas Field, in Plum Borough, Allegheny County, Pennsylvania. The injection well will inject into the Murrysville Sand. The coordinates for this injection well are: Latitude 40° 31' 36.897" Longitude -79° 42' 39.6972".

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@40.526652150000004,-79.71033626073137,14z>



Counties: Allegheny and Westmoreland counties, Pennsylvania

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

| NAME | STATUS |
|--|------------|
| Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/5949 | Endangered |
| Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045 | Threatened |

Insects

| NAME | STATUS |
|--|-----------|
| Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743 | Candidate |

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And FishHatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WIT
